

EXHIBIT NO. 1

4  
1-26-02

Docket Item # 3  
SPECIAL USE PERMIT #2001-0116

Planning Commission Meeting  
January 3, 2002

**ISSUE:** Consideration of a request for a special use permit for extension to allow residential land to continue to be used for parking.

**APPLICANT:** Alexandria One Associates, LP  
by Duncan W. Blair, attorney

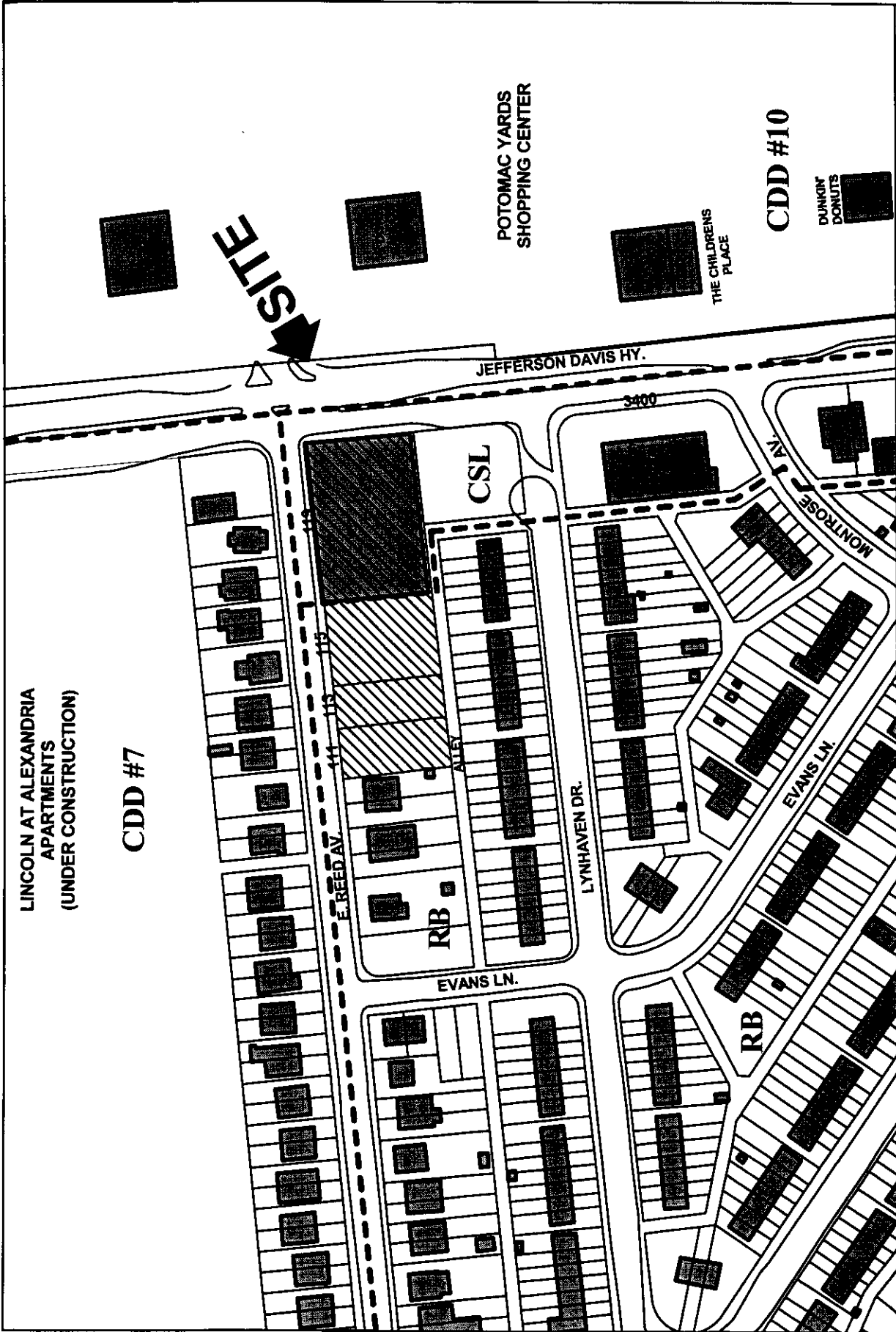
**LOCATION:** 111-119 East Reed Avenue

**ZONE:** RB/Residential

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**PLANNING COMMISSION ACTION, JANUARY 3, 2002:** By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.



SUP #2001-0116

01/03/02



**STAFF RECOMMENDATION:**

Staff recommends approval subject to compliance with all applicable codes and ordinances and the following conditions:

1. The special use permit shall be granted to the applicant only or to any corporation or entity in which the applicant has a controlling interest. (P&Z) (SUP #2200)
- 2-22. Deleted. (SUP 2000-0161)
23. **CONDITION AMENDED BY STAFF:** The use of the RB land for parking either for a maximum of 20 cars, or in conjunction with the use of the adjacent building, is permitted to continue until December 31, 2002 ~~2001~~. (P&Z) (PC)

DISCUSSION:

1. The applicant, Alexandria One Associates, L.P., by Duncan Blair, attorney, requests special use permit approval for the extension of the period of validity of the parking use on the subject residential property.
2. The subject property consists of three lots of record, with 208 feet of frontage on East Reed Avenue, approximately 126 feet of depth, and total lot area of approximately 26,208 square feet. The parcel is developed with a surface parking area previously used by National Car Rental for vehicle parking and storage.
3. This is a technical application, seeking to extend the expiration date of December 31, 2001, which was imposed one year ago, so as to allow the current uses to continue longer. Specifically, the applicant seeks to preserve the parking for the building to continue in the parking lot. The applicant seeks an extension of the special use permit to December 31, 2002, with the ability to seek additional extensions, in order to continue to legally use the residentially zoned portion of the property as required parking for the building, which is located on commercially zoned property.
4. According to the applicant, A&A Limited Partnership is a contract purchaser who intends to process a redevelopment proposal for residential use of the entire site and needs additional time to do so. In the interim, while that proposal is finalized and processed, the applicant requests that the status quo be permitted to continue. If that use is not approved, the applicant may seek permission for other uses on the property.
5. Under the zoning ordinance in effect prior to 1992, parking lots were allowed in residential zones with a special use permit. This lot was approved many years ago and continues as a noncomplying use. Under current zoning, as long as the existing special use permit survives and the use is continued, the existing parking lot may continue. However, when the special use permit expires, the right to use the parking lot area for a parking lot ceases and cannot, without a rezoning, be revived.

STAFF ANALYSIS:

Staff has no objection to the continuation of the parking use on an interim basis, while the Abramson redevelopment scheme is considered. Staff does have one caveat, however. In the event that there is another request to extend this permit in the future, the applicant should be aware that staff will recommend at that time that the parking lot be properly screened with attractive screening and landscaping to make the area, adjacent to residential uses, more attractive. Staff would impose those requirements now, as it is doing with other special use permits, except that the site is slated for redevelopment and staff anticipates a development application in the near future.

STAFF: Eileen P. Fogarty, Director, Department of Planning and Zoning;  
Barbara Ross, Deputy Director.

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

F-1 No T&ES objections or recommendations to this continued use.

Code Enforcement:

F-1 No comments.

Health Department:

F-1 No comments.

Police Department:

F-1 No comments.

APPLICATION for SPECIAL USE PERMIT # 2001-0116

PROPERTY LOCATION: 111-119 East Reed Avenue, Alexandria, Virginia

TAX MAP REFERENCE: 16.01 03 12, 13, 14 & 15 ZONE: CSL/Commercial Service Low  
and RB/ Townhouse Zone

APPLICANT Name: Alexandria One Associates, L. P.  
Address: c/o Carlton Capital Group  
1130 Connecticut Avenue, N.W., Suite 800  
Washington, D.C. 20036

PROPERTY OWNER Name: Alexandria One Associates, L. P.  
Address: c/o Carlton Capital Group  
1130 Connecticut Avenue, N.W., Suite 800  
Washington, D.C. 20036

PROPOSED USE: Amendment to Special Use Permit #2000-0161 to amend Condition 23 to  
extend the validity of the Special Use Permit, and to permit change of uses  
to permitted uses under §4-302 (A)-(M) and special uses under §4-303(A)-  
(CC) with a special use permit.

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI,  
Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City  
of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section  
11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby attests that all of the information herein provided and specifically including all surveys,  
drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief.  
The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and  
any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this  
application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or  
illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the  
1992 Zoning Ordinance of the City of Alexandria, Virginia.

Land, Clark, Carroll, Mendelson & Blair, P.C.

Duncan W. Blair, Esquire

Print Name of Applicant or Agent

112 South Alfred Street, Suite 300

Mailing/Street Address

Alexandria, Virginia 22314

City and State

Zip Code

(703) 836-1000

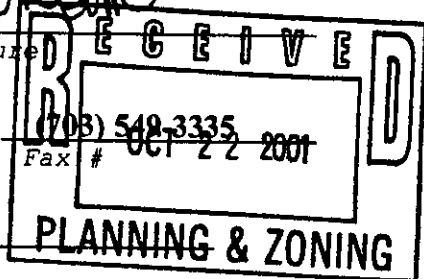
Telephone #

October 16, 2001

Date

*[Handwritten Signature]*

Signature



===== DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY =====

Application Received: \_\_\_\_\_ Date & Fee Paid: \_\_\_\_\_ \$ \_\_\_\_\_

ACTION - PLANNING COMMISSION: \_\_\_\_\_

ACTION - CITY COUNCIL: \_\_\_\_\_

All applicants must complete this form. Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. The applicant is (*check one*) ☒ the Owner ☐ Contract Purchaser  
☐ Lessee or ☐ Other: \_\_\_\_\_ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

**Alexandria One Associates, L.P., is a Virginia limited partnership. The people or business entities owning an interest in excess of ten (10%) percent are: (i) William C. Eacho, III and Linda Ayers Eacho, Trustees of Alexandria Trust; (ii) William C. Eacho, III; (iii) William C. Eacho, III, Trustee for Fenchay Multi-Generation Trust; and (iv) Pamela Eacho Clark, 1379 Bally Bunion Court, Grand Rapids, MI 49546. Except as noted, the mailing address for the above is the same as the Applicant.**

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

☒ Yes. Provide proof of current City business license

☐ No. The agent shall obtain a business license prior to filing application, if required by the City Code.

2. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 8½" x 14" or smaller. Twenty-four copies are required for larger plans or if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

**Waiver requested.**



**NARRATIVE DESCRIPTION**

3. The applicant shall describe below the nature of the request in detail so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. (Attach additional sheets if necessary)

**Alexandria One Associates, L.P., a Virginia limited partnership("Applicant")is requesting an amendment to Special Use Permit 2000-0161 ("SUP #2000-0161"), Condition Number 23 to extend the time of validity of SUP #2000-0161 to December 31, 2002, with the ability to request additional enlargements of time prior to its expiration in order that the existing use of the Property, consisting of both land zoned for commercial (CSL) and residential (RB) can continue to be used for uses, either permitted or special, under the CSL zone regulations.**

**The granting of the special use amendment would maintain the Applicants ability to use the residentially zoned portion of the Property as the required parking facility for the structure and uses conducted in the structure on the commercially zoned portion of the Property. The granting of the amendment preserves the status quo, and permits the continued use of the Property by CSL uses while the Applicant continues work with the contract purchaser of the Property, A&A Limited Partnership, as it processes its proposed residential development, or other potential users if that proposal is not approved.**

**USE CHARACTERISTICS**

4. The proposed special use permit request is for: (*check one*)
- ☐ a new use requiring a special use permit,
  - ☐ a development special use permit,
  - ☐ an expansion or change to an existing use without a special use permit,
  - ☐ expansion or change to an existing use with a special use permit,
  - ☒ other. Please describe: **Extension of Validity.**
5. Please describe the capacity of the proposed use:
- A. How many patrons, clients, pupils and other such users do you expect? Specify time period (i.e., day, hour, or shift).  
**No change from SUP #2000-0161.**
  - B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).  
**No change from SUP #2000-0161.**
6. Please describe the proposed hours and days of operation of the proposed use:
- No change from SUP #2000-0161.**
7. Please describe any potential noise emanating from the proposed use:
- A. Describe the noise levels anticipated from all mechanical equipment and patrons.  
**No change from SUP #2000-0161.**
  - B. How will the noise from patrons be controlled?  
**No change from SUP #2000-0161.**
8. Describe any potential odors emanating from the proposed use and plans to control them:
- No change from SUP #2000-0161.**
9. Please provide information regarding trash and litter generated by the use:
- A. What type of trash and garbage will be generated by the use?  
**No change from SUP #2000-0161.**

B. How much trash and garbage will be generated by the use?

**No change from SUP #2000-0161.**

C. How often will trash be collected?

**No change from SUP #2000-0161.**

D. How will you prevent littering on the property, streets and nearby properties?

**No change from SUP #2000-0161.**

10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

☒ Yes. ☐ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

**No change from SUP #2000-0161.**

11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

☒ Yes. ☐ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

**No change from SUP #2000-0161.**

12. What methods are proposed to ensure the safety of residents, employees and patrons?

**No change from SUP #2000-0161.**

#### **ALCOHOL SALES**

13. Will the proposed use include the sale of beer, wine, or mixed drinks?

☐ Yes. ☒ No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

**PARKING AND ACCESS REQUIREMENTS**

14. Please provide information regarding the availability of off-street parking:

- A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

**No change from SUP #2000-0161.**

- B. How many parking spaces of each type are provided for the proposed use:

**No change from SUP #2000-0161.**

- C. Where is required parking located?      ☒ on-site      ☐ off-site      (*check one*)

If the required parking will be located off-site, where will it be located: **Not applicable.**

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

- D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the **PARKING REDUCTION SUPPLEMENTAL APPLICATION**.

**No change from SUP #2000-0161.**

15. Please provide information regarding loading and unloading facilities for the use:

- A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance? **NONE.**

- B. How many loading spaces are available for the use? **NONE.**

- C. Where are off-street loading facilities located? **NONE.**

- D. During what hours of the day do you expect loading/unloading operations to occur?

**No change from SUP #2000-0161.**

- E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

No change from SUP #2000-0161.

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Yes.

### SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? ☒ Yes ☐ No

Do you propose to construct an addition to the building? ☐ Yes ☒ No

How large will the addition be? N/A square feet.

18. What will the total area occupied by the proposed use be?

28,950 sq. ft. (existing) + -0- sq. ft. (addition if any) = 28,950 sq. ft. (total)

19. The proposed use is located in: (check one)

☐ a stand alone building ☐ a house located in a residential zone ☒ a warehouse

☐ a shopping center. Please provide name of the center: \_\_\_\_\_

☐ an office building. Please provide name of the building: \_\_\_\_\_

☐ other, please describe: \_\_\_\_\_

SUP 2001-0116

**LAND, CLARK, CARROLL, MENDELSON & BLAIR, P.C.**

*Attorneys & Counsellors at Law*

112 SOUTH ALFRED STREET  
SUITE 300  
ALEXANDRIA, VA 22314

H. CARTER LAND, III  
JAMES C. CLARK  
F. ANDREW CARROLL, III  
RICHARD S. MENDELSON  
DUNCAN W. BLAIR

.....  
(703) 836-1000

FACSIMILE  
(703) 549-3335

MAILING ADDRESS:  
P.O. BOX 19888  
ALEXANDRIA, VIRGINIA 22320-0888

October 4, 2001

Ms. Eileen P. Fogarty  
Director, Department of Planning & Zoning  
City of Alexandria  
301 King Street, Room 2100  
Alexandria, Virginia 22314

**DELIVERED BY HAND**

**In re: Alexandria One Associates, L.P.  
111-119 East Reed Avenue, Alexandria, Virginia**

Dear Ms. Fogarty:

I am writing to request a waiver of the requirement to submit a floor plan and plot plan in connection with Alexandria One's request to extend the validity of its current special use permit located at the above-referenced property.

The nature of the request is an extension and amendment to an existing condition of the special use permit and no physical characteristics to the site operations currently authorized by the existing special use permit will change the result of the requested amendment. As such, we submit that the floor plan and plot plan are not required in connection with the review of this request.

If you have any questions or require any further information, please do not hesitate to call.

Very truly yours,



Duncan W. Blair

Enclosure

cc: Mr. William C. Eacho III, President, Alexandria One, Inc.

DWB.ej:Fogarty/AlexOne.100401

APPLICATION for SPECIAL USE PERMIT # 2001-0116

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**Land, Clark, Carroll, Mendelson & Blair, P.C.  
Duncan W. Blair, Esquire**

*Print Name of Applicant or Agent*

**112 South Alfred Street, Suite 300**

*Mailing/Street Address*

**Alexandria, Virginia 22314**

*City and State*

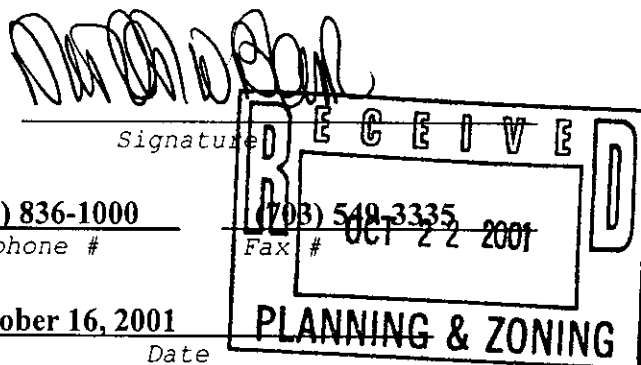
*Zip Code*

**(703) 836-1000**

*Telephone #*

**October 16, 2001**

*Date*



===== **DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY** =====

Application Received: \_\_\_\_\_ Date & Fee Paid: \_\_\_\_\_ \$ \_\_\_\_\_

ACTION - PLANNING COMMISSION: 01/03/02 Recommended Approval UC

ACTION - CITY COUNCIL: 01/26/2002 PH -- CC approved the Planning  
Commission recommendation.